

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|                                      |   |                             |
|--------------------------------------|---|-----------------------------|
| ANNE FANELLI,                        | : |                             |
| Plaintiff,                           | : |                             |
|                                      | : |                             |
| v.                                   | : | Civil No. 5:20-cv-05530-JMG |
|                                      | : |                             |
| EYE CONSULTANTS OF PENNSYLVANIA, PC, | : |                             |
| Defendant.                           | : |                             |

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**ORDER**

**AND NOW**, this 6<sup>th</sup> day of January, 2022, upon consideration of Defendant's Motion for Summary Judgment (ECF No. 20) and the accompanying brief (ECF No. 21), Plaintiff's Opposition (ECF No. 23), and Defendant's Reply in Support of Summary Judgment (ECF No. 28), **IT IS HEREBY ORDERED THAT** Defendant's Motion (ECF No. 20) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendant's Motion is **DENIED** with respect to Plaintiff's retaliatory demotion and back pay claims.
2. Defendant's Motion is **GRANTED** with respect to Plaintiff's retaliatory failure to rehire claim.

**IT IS SO ORDERED.**

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge